



AGENDA
RIO DELL PLANNING COMMISSION
"VIRTUAL" REGULAR MEETING
TUESDAY, JUNE 23, 2020 – 6:30 P.M.
CITY HALL COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME.... Copies of this agenda, staff reports and other material available to the Commission are available at the City Clerk's office in City Hall, 675 Wildwood Avenue and on the City's website at www.cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell Planning Commission meetings often.

SPECIAL PUBLIC HEALTH EMERGENCY ALTERATIONS TO MEETING FORMAT
CORONAVIRUS (COVID-19)

Due to the unprecedented public health threats posed by COVID-19 and the resultant need for social distancing, changes to the Planning Commission format are required. Executive Order N-25-20 and N-29-20 from Governor Gavin Newsom allow for telephonic Planning Commission meetings and waives in-person accessibility for Planning Commission meetings, provided that there are other means for the public to participate. Therefore, and effective immediately, and continuing only during the period in which state or local public health officials have imposed or recommended social distancing measures, the City Council and the Rio Dell Planning Commission will only be holding "virtual" meetings.

In balancing the health risks associated with COVID-19 and need to conduct government in an open and transparent manner, public comment on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note which project the comment is directed to and email your comments to the above email address. The City Clerk will read comments out loud, for up to three minutes and provide an immediate response to the comment(s).

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. CEREMONIAL MATTERS
- E. CONSENT CALENDAR

- 1) 2020/0623.01 - Approve Minutes of the April 28, 2020 Regular Meeting
(ACTION)

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not intended. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, unless a finding is made by at least 2/3rds of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action.

Due to the COVID -19 situation public comment must be submitted via email at publiccomment@cityofriodell.ca.gov no later than one hour prior to the start of the meeting. Your comments will be read out loud, for up to three minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

- 1) 2020/0623.02 - Adopt Resolution No. PC 147-2020 Approving the Rio's Diamond Farms Cannabis Activities Conditional Use Permit for 32,000 square feet of Mixed-Light Cannabis Cultivation and 1,000 square foot Nursery (File No. 205-031-059; Case No. CUP-CCLUO-20-03 **(ACTION)**

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H. STAFF COMMUNICATIONS

I. ADJOURNMENT



In compliance with the American with Disabilities Act (ADA), if you need Special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

***The next Regular Planning Commission meeting is scheduled for
Tuesday, July 22, 2020 at 6:30 p.m.***

**RIO DELL PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 28, 2020**

CALL TO ORDER

Commissioner Angeloff called the regular “virtual” meeting of the Rio Dell Planning Commission to order at 6:35 p.m.

Present were Commissioners Angeloff, Kemp, Marks, and Millington, and Planning Commissioner Alternate Arsenault. Absent was Commissioner Wilson (Joined after the meeting started).

Others present were Community Development Director Caldwell and City Clerk Dunham.

CONSENT CALENDAR

Planning Commission Chair Angeloff asked if any Planning Commissioner or member of the public had any questions or corrections to the minutes as presented. There were no comments.

Approve Minutes of the February 25, 2020 Regular Meeting

Motion was made by Kemp/Millington to approve the minutes of the February 25, 2020 regular meeting as submitted. Motion carried 4-0.

PUBLIC PRESENTATIONS

None

SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

Timmerman Conditional Use Permit: (APN 052-071-006) Adopt Resolution No. PC-145-2020 Approving a Conditional Use Permit (CUP) Application for Adrian Timmerman at 221 Ogle Ave. for a 20' x 30' Metal Storage Building

Community Development Director Caldwell provided a staff report and explained that pursuant to Section 17.30.020 of the Rio Dell Municipal Code, a Conditional Use Permit is required for the construction of an accessory structure on a vacant parcel. He said that the primary purpose for requiring a Conditional Use Permit for a residential accessory structure is to ensure that the accessory structure does not preclude the primary use of the parcel which is residential.

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He noted that the applicant currently resides on the adjoining parcel and is proposing to construct a 600 square foot, 20' x 30' metal storage building on a vacant residential parcel. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the zoning code.

City Clerk announced that no public comment was received regarding the proposed Conditional Use Permit.

Motion was made by Marks/Kemp to adopt Resolution No. 145-2020 *Approving a Conditional Use Permit (CUP) Application for Adrian Timmerman at 221 Ogle Ave. for a 20' x 30' Metal Storage Building. Motion carried 4-0.*

Northwest 101 LLC/Marathon 101, Conditional Use Permit: APN's 205-111-044 & 045, 205-171-013 & 018) Adopt Resolution No. PC-146-2020 Approving a Conditional Use Permit (CUP) Application for 25,340 square feet (canopy area) of Mixed-Light Commercial Cannabis Cultivation including Design Review for seven (7) Climate controlled greenhouses totaling approximately 42,400 square feet including a "Headhouse" for storage, drying and processing

Community Development Director Caldwell provided a staff report recommending approval of the Conditional Use Permit (CUP) for 25,340 square feet (canopy area) of mixed-light commercial cannabis cultivation. The cultivation would occur within seven (7) greenhouses built to a maximum of 42,400 square feet. Included in the square footage of the greenhouses would include a headhouse to be divided into separate areas, including office space, utilities, processing, shipping, and storage areas.

He further explained that the proposed project would be developed in three (3) phases. Phase 1 would include construction of Greenhouses 1 and 2, the headhouse, parking lot, landscaping, and on-site septic system. Phase II would commence in approximately 6 months after completion of Phase I and include construction of Greenhouses 3 and 4. Phase III would follow approximately 8 months after completion of Phase II and include construction of Greenhouses 5, 6, and 7.

Community Development Director Caldwell noted that due to the delay in getting PG&E to connect power to the site, the applicant would be allowed to utilize generators for power under Phase I, limited to 180 days.

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He noted that the applicant requested a parking exception of 18 spaces based on levels of anticipated use. He said that staff is supportive of a parking exception, but recommends a minimum of 25 spaces including one handicap space as required in the Rio Dell Municipal Code.

With regard to design review, he noted that greenhouses are fairly uniform in design so there are limited design elements that can be incorporated into a greenhouse. However; these greenhouses are very high quality and that staff is glad to see this development in Rio Dell.

Commissioner Marks commented that she had some questions about the project but after talking to the Community Development Director, feels very good about the project as proposed.

Alternate Commissioner Arsenault questioned water usage and a potential drought.

Community Development Director Caldwell explained that since the last drought, the City re-established the Metropolitan Wells as a secondary water source noting that the wells are tied into a large aquifer and produces 200 gallons/minute. As such, staff is confident that there will always be sufficient water supply. In addition, the parcel has two (2) private onsite wells.

Commissioner Kemp asked for clarification on the location of the parcel.

Community Development Director Caldwell explained the parcel is the Whitlow parcel on the east side of Northwestern Ave.

Commissioner Angeloff announced that Commissioner Wilson had joined the meeting.

Commissioner Angeloff asked if the applicant would be required to install the same wrought iron fencing as the other developed parcels.

Community Development Director Caldwell explained that wrought iron or wrought iron look fencing is allowed and required under Phase I of the project. He noted that the Conditions of Approval refer to wrought iron fencing only so he would modify the conditions to also allow wrought iron look fencing.

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Commissioner Kemp commented that all of the new fencing at the Humboldt Rio Dell Business Parks looks nice so he has no problem with the modification to the conditions.

Commissioner Millington commented that if the seven (7) proposed greenhouses are equal to or better than the one she saw when she went on the tour at the applicant's other site, she is confident they would look great.

Community Development Director Caldwell explained that the proposed greenhouses are Next Gen greenhouses and are very high quality.

Sean Suh, President of Northwestern 101, LLC noted that the greenhouses are the newest and most state-of-the art design. In addition, the project design will also be state-of-the art.

Motion was made by Kemp/Marks to adopt Resolution No. 146-2020 *approving a Conditional Use Permit (CUP) application for 25,340 square feet (canopy area) of Mixed-Light Commercial Cannabis Cultivation including Design Review for seven (7) climate-controlled greenhouses totaling approximately 42,400 square feet including a "Headhouse" for storage, drying and processing.* Motion carried 5-0.

STAFF COMMUNICATIONS

Community Development Director Caldwell reported on recent activities and noted that staff sent out an update on development at the Humboldt Rio Dell Business Park with a copy put in Commissioners mailboxes at City Hall.

He also reported on pending projects which included the following:

- Marathon 101 – Mixed-light greenhouses for commercial cannabis cultivation.
- Rio Dell Holdings – Modification to Subdivision Map approval and CUP's.
- Humboldt 454 – Modification of CUP to include cannabis distribution operations.

He suggested a special meeting be scheduled for May 12, 2020 if the Commission is willing, to consider the modification for Humboldt 454. Commissioners unanimously agreed.

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Community Development Director Caldwell reported that staff is continuing to process building permit applications and conduct inspections and is continuing to work on update of the Housing Element.

Alternate Commissioner Arsenault commented that he went by the Danco Project (River Bluff Cottages) and that it looks great.

Commissioner Marks mentioned that she thought the fire lane was going to be a brick type material.

Community Development Director Caldwell explained that due to a ground water problem, the soil would not support the pavers and the weight of the fire trucks would cause maintenance problems so a decision was made to pave the area.

ADJOURNMENT

The meeting adjourned at 7:05 p.m. to the May 12, 2020 Special meeting.

Nick Angeloff, Chair

Attest:


Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: June 23, 2020

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: June 14, 2020

Subject: Rio's Diamond Farms Application
Cannabis Conditional Use Permit
File No. 205-031-059; Case No's. CUP-CCLUO-20-03

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Assuming that public testimony is substantially in support of the proposal, find that:
 - (a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;
 - (b) The proposed use is consistent with the general plan and any applicable specific plan; and

(c) The design, location and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

(f) The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 147-2020 approving the Conditional Use Permit, subject to the Conditions of Approval, Exhibit A.

Background

Rio's Diamond Farms has made application for a Conditional Use Permit for 32,000 square feet of mixed-light cannabis cultivation and a 1,000 square foot nursery. A The project also includes the permitting of a facility for drying, curing, harvest, storage, processing, and packaging. See the attached Plan of Operations, **Attachment 1**.

The project is located on the Dinsmore Plateau. The subject parcel (APN 205-031-059) is approximately 9 acres in size. Land uses surrounding the parcel are comprised of residential and agricultural uses. A single-family residence and detached garage are located near the center of the parcel. Topography is gently sloping with no slopes that exceed 15%. There are no watercourses, stream crossings, culverts, or ponds located on the property. Access roads include a permanent rocked road that leads from Dinsmore Ranch Road to the garage, and a seasonal quad trail.

The proposed project will be operated by the applicants and will not include any employees.

The applicant's have requested an exception to the cannabis regulations to allow hoopouses as opposed to commercial, "...securable and lockable..." greenhouses. The applicants are proposing to install six (6) cyclone security fencing around the greenhouse areas to secure the greenhouses. In addition, the applicants are requesting an exception to the carbon filter odor control requirement. The applicant's have secured letters from the neighbors that they have no objection to the request. **See Attachment 2**.

Because (1) the proposed operation is accessory to the residential use of the parcel; (2) general agriculture is a principally permitted; and (3) the location of the parcel, staff has determined that Design Review of the hoopouses and accessory building is not warranted.



Figure 1

Location Map

Bio's Diamond Farms Cannabis Cultivation and Processing Application

Conditional Use Permit

File No. 205-031-059; Case No's. CUP-CCLUO-20-03

Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use: The property is zoned Rural. The Rural or R zone is intended to provide for agricultural and very low-density residential uses. Section 17.30.195 the City's Commercial Cannabis Land Use Ordinance (CCLUO), allows commercial cannabis activities on lands designated rural on the Dinsmore Plateau with a Conditional Use Permit (CUP). In addition, the

Rural designation allows general agriculture, including crop production as a principally permitted use. Furthermore, agricultural products processing is a conditionally permitted use.

All cannabis applications for the required Conditional Use Permit requires the submittal of a completed application form, a Site Plan and a Plan of Operations which is required to include the following:

- A complete project description including the proposed use(s), hours and days of operation, number of employees, and the duration (temporary, seasonal or permanent) of the operation.
- The number of daily and/or weekly incoming and outgoing deliveries
- A Security Plan that addresses the cultivation, storage, processing of any cannabis, including but not limited to any video monitoring and commercial alarm systems.
- A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- A description of the storage or use of any, fertilizers, pesticides, fungicides, rodenticide, or herbicides.
- A description of any discharge or emissions the operation will generate.
- A description of any noise level increase as a result of the operation.
- A description of the operation's use of public facilities such as roads, water or sewer systems.
- A description of any proposed water source, storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection.

The Plan of Operations includes the required information and is included as **Attachment 1**. As the Commission is aware, the State must approve all cannabis activities and issue a State License prior to the operation commencing.

The proposed cannabis activities are subject to the following Performance Standards identified in Chapter 17.30.195 of the Rio Dell Municipal Code (RDMC).

Performance Standards

Cultivation

Again, the applicant is proposing 32,000 square feet (sf) (canopy area) of mixed-light commercial cannabis cultivation within seventeen hoopouses. In addition, the applicants are proposing a 1,000 square foot hoopouse for an on-site nursery.

Section 17.30.195(7)(b)

*Greenhouse and Mixed-Light commercial cultivation of cannabis shall be conducted entirely within a **fully enclosed, secure and lockable greenhouse** and shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area; and the Rural (R) designation located on the Dinsmore Plateau area pursuant to the "Greenhouse" and "Mixed-Light" cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.*

The City's limits for greenhouse and mixed-light are based on the State's limits. The applicant will be required to get a "Medium" (22,000 square feet) State license and backfill it with smaller licenses in order to cultivate the proposed 32,000 square feet of canopy.

As indicated above the Performance Standards require that greenhouses must be fully enclosed, secure and lockable. Again, the applicants have requested an exception to the cannabis regulations to allow hoopouses as opposed to commercial, "...securable and lockable..." greenhouses. The applicants are proposing to install six (6) cyclone security fencing around the greenhouse areas to secure the greenhouses. Should the Planning Commission support the exception request, staff is recommending that the project be conditioned to require the security fencing. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Performance Standards for all Cultivation Operations:

- (a) No surface water withdrawals shall be allowed as part of any cultivation operations.
- (b) No Timberland Conversion Permits or Exemptions as approved by the California Department of Forestry and Fire Protection (CAL-FIRE) shall be used to facilitate the cultivation of cannabis.
- (c) The area of greenhouse, mixed-light cannabis cultivation shall be located as shown on the application site plan, set back at least 30 feet from any property line in the Natural Resource

(NR) and Rural (R) zones and 300 feet from any residences on an adjacent separately owned parcel and 1000 feet from any school. The setback required from associated property lines or residence(s) on adjacent privately-owned property may be waived or reduced with the express written consent of the owner(s) of the subject property.

- (d) Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the City of Rio Dell or other responsible agency.
- (e) For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023, is required by that Order, compliance with the standard conditions applicable to all Tier 1 dischargers.
- (f) The storage or use of any fertilizer, pesticide, fungicide, rodenticide, or herbicide shall comply with the manufacture's recommendations and regulations administered by the State Department of Pesticide Regulation. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).
- (g) Trucked water shall not be allowed as the primary water source. Water is to be sourced locally (on-site), except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate action."
- (h) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.
- (i) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- (j) Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant

shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

- (k) Generators are only allowed as an emergency back-up power source. The noise produced by a generator used for cannabis cultivation shall not be audible from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels.
- (l) Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
- (m) Electricity for Indoor and Mixed Light cultivation activities shall be provided by any combination of the following:
 - (i) On-grid power with 42 percent renewable source.
 - (ii) Onsite zero net energy renewable source providing 42 percent of power.
 - (iii) Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.
 - (iv) Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.

- (n) Comply with all federal, state, and local laws and regulations applicable to California Agricultural Employers, including those governing cultivation and processing activities.
- (o) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

Although the property has an approved Timberland Conversion Permit, it was approved for fuel load reduction and defensible space. Tim Meyer, Cal Fire's local representative verified that the conversion was for defensible space and noted that Cal Fire encourages these types of

conversions in wildland urban interface areas. The intent of the provision was not to allow standalone conversions where there was not an existing residence.

The proposed hoophouses meet the required setback requirements of thirty (30) feet from property lines and 300 feet from adjacent residences.

As previously discussed the applicants are requesting an exception to the carbon filter odor control requirement. The applicants have secured letters from the neighbors that they have no objection to the request. **See Attachment 2.** Given the distance to the neighboring residences, the fact that cannabis cultivation has occurred on the parcel in the past and the City has not received any complaints, staff has no objection to the Commission granting the exception.

Rural Designation Development Standards

Table 17.20.070 of the RDMC identifies the setback, lot coverage/open space and building height requirements.

The Rural designation requires a twenty (20) foot setback from all property lines. The project as proposed complies with the required setbacks. The proposed 30' x 70' building to be used for drying, processing and packaging and the other two 8' x 10' sheds for storage comply with the required setback,

The minimum open space requirement is 10%. The parcel is about 9 acres or 392,040 square feet. The proposed greenhouses, existing residence and accessory total approximately 40,000 square feet. The open space will be approximately 90%. The project complies with the required open space of 10%.

The maximum building height allowed in the rural designation is three (3) stories or 45 feet. The proposed greenhouses will be approximately 10 feet in height. The proposed 30' x 70' building will be less than twenty (20) feet in height.

Section 17.30.220 of the Rio Dell Municipal Code (RDMC) identifies Parking requirements. The proposed agricultural operation is accessory to the residential use of the property. Again, the operation will be conducted by family members. As such there should be no increase in parking demand. However, Section 17.30.220(1)(b) requires the developer, owner or operator of any specific use to provide adequate off-street parking even though such parking is in excess of the minimum requirements set forth in these requirements. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Based on the submitted information, including the Plan of Operation, and the recommended conditions of approval, staff believes the proposed uses are consistent with the City Zoning Regulations.

2. General Plan Consistency

(b) The proposed use is consistent with the general plan and any applicable specific plan;

The General Plan designation is also rural. The purpose of the Rural designation is to provide for rural residential and agricultural uses. The proposed project would be principally permitted if the activity did not involve cannabis.

The proposed uses are consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas."

There are no goals or policies which would preclude the proposed use in the Industrial Commercial designation. Therefore, the proposed use as conditioned is consistent with the General Plan.

3. Land Use Compatibility

(c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

Unpermitted cannabis activity has occurred in the surrounding areas in years past. Based on the fact that the adjoining owners have submitted letter that they have no objection to the activity, recommended conditions of approval, including the City's Performance Standards and the State regulations, staff believes the project can be found to be consistent with the existing and future land uses in the vicinity.

4. Site Suitability

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

The site is fairly flat, the land use designation allows general agriculture activities, no or little increase in traffic is expected as the farm will be operated by family members and utilities are in place, staff believes the site is suitable for the intended use.

5. Public Interest, Health, Safety and Welfare

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located;

The new construction is subject to the California Building Codes, including the California Fire Code, which includes standards to ensure that the buildings are constructed to minimum safety standards. Again, based on information on file and the recommended conditions of approval,

staff believes there is no evidence to suggest that the proposed project will be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

The Rio Dell Fire Protection District (RDFFPD) has required a hammerhead turn-around area near the residence and a dedicated 5,000-gallon emergency water storage tank and wharf hydrant. The turn-around area and a 5,000-water tank are identified on the site. Staff has required that the applicant submit written verification from the RDFFPD that the improvements have been made and they have no objection to the activities commencing. The project has been conditioned accordingly. **Please refer to Exhibit A.**

6. California Environmental Quality Act

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project. Based on the Environmental Impact Report (EIR) prepared as part of the annexation of the area into the City which analyzed potential industrial uses and the nature of the project, including the proposed operating protocols and recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Based on the nature of the proposed projects, staff believes there is no evidence to suggest that the projects will have a *significant* effect on the environment.

Attachments:

Attachment 1: Plan of Operations and Site Plan.

Attachment 2: Letters from the neighbors.

Attachment 3: Exhibit A, Conditions of Approval

Attachment 4: Resolution No. PC 147-2020.

RIO'S DIAMOND FARM, LLC

OPERATIONS PLAN

PROPOSED CANNABIS
CULTIVATION FACILITIES

APN 205-031-059
1150 Dinsmore Ranch Road #130
Rio Dell, CA 95562

May 2020

Cultivation and Operations Manual

RIO'S DIAMOND FARM, LLC

Lead Agency:

The City of Rio Dell
3015 H Street
Eureka, CA 95501

Prepared By:

Christina Sundman
PR Professional Services
315 P Street
Eureka, CA 95501
(707)298-0902
christina@prproservices.com

In Consultation with:
Rio's Diamond Farm, LLC
1150 Dinsmore Ranch Road #130
Rio Dell, CA 95562

May 11, 2020

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OPERATIONS MANUAL
RIO'S DIAMOND FARM, LLC

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OPERATIONS MANUAL
RIO'S DIAMOND FARM, LLC

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- Appendix B: Site Plan
- Appendix C: Pesticide Storage, Handling and Application Plan
- Appendix D: Emergency Procedures and Contact Information
- Appendix E: Cultivation Activities Schedule
- Appendix F: Material Safety Data Sheets

1. PROJECT SUMMARY

1.1. PROJECT OBJECTIVE

RIO'S DIAMOND FARM, LLC is applying for land use approval for existing and proposed cannabis cultivation in accordance with the City of Rio Dell's Commercial Cannabis Ordinance 374-2019. The project consists of 32,000 square feet of mixed-light cannabis cultivation and a 1,000 square foot nursery. A The project also includes the permitting of a facility for drying, curing, harvest, storage, processing, and packaging.

1.2. SITE DESCRIPTION

The project is located on the Dinsmore Plateau approximately 1.0 mile west of Wildwood Avenue as the crow flies. The subject parcel (APN 205-031-059) is approximately 9.1 acres in size (per County of Humboldt WebGIS 2020) and is within City of Rio Dell's Rural (R) zone. Land uses surrounding the parcel are comprised of residential and agricultural uses. A single family residence and detached garage are located near the center of the parcel. Topography is gently sloping with no slopes that exceed 15%. There are no watercourses, stream crossings, culverts, or ponds located on the property. Access roads include a permanent rocked road that leads from Dinsmore Ranch Road to the garage, and a seasonal quad trail.

1.3. STATE AND LOCAL COMPLIANCE

1.3.1 STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE

RIO'S DIAMOND FARM is in the process of obtaining an annual license from the California Department of Agriculture (CDFA).

1.3.2 STATE WATER RESOURCES CONTROL BOARD

The applicant has enrolled in the SWRCB General Order as a Tier 1 Low Risk Discharger (Application # 425883). A Site Management Plan will be submitted within 90 days of enrollment.

1.3.3 RIO DELL BUILDING DEPARTMENT

No grading is proposed. A building permit shall be obtained for the proposed processing facility upon approval of the land use permit.

1.3.4 CAL FIRE

The subject property is located within the State Responsibility Area (SRA) for fire protection.

The emergency vehicle turn-around area is located in front of the garage. The turn-around is less than 7% grade, and is regularly maintained to prevent ruts or rills to the road surface. The turn-around area is greater than 30 feet long with over 15 feet of vertical clearance.

RIO'S DIAMOND FARM shall maintain the recommended 100 feet of defensible space around all structures on the property. All buildings and cultivation areas meet the 30-foot SRA property line setback requirement. A designated 2,500 gallon SRA water tank is located in the tank farm behind the residence and shown on the attached site plan.

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1.3.5 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

There are no stream crossings, or proposed alterations to the bed, bank, or channels of any surface waters. A Lake and Streambed Alteration (LSA) notification has been submitted to CDFW to request a waiver.

1.3.6 CULTURAL RESOURCES

No ground disturbing activities are proposed. If buried archaeological or historical resources are encountered during regular cultivation activities, RIO'S DIAMOND FARM shall call all work in the immediate area to a temporary halt, and a qualified archaeologist will be contacted to evaluate material(s).

2. OPERATIONS MANAGEMENT

2.1. WATER SUPPLY AND WATER USE

RIO'S DIAMOND FARM will use approximately 240,000 gallons of water per year for cannabis irrigation. The applicant proposes to use municipal water to meet agricultural needs. The following table outlines the estimated water usage for cultivation during a typical year. This does not take into account variables such as weather conditions or specific cannabis strains which may have slight effects on overall water usage.

Agricultural Water Use (gallons)											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
0	0	0	10,000	20,000	40,000	50,000	60,000	60,000	0	0	0

2.2. SITE DRAINAGE, RUNOFF AND EROSION CONTROL

RIO'S DIAMOND FARM has developed a plan using the guidelines for best practicable treatments and controls (BPTCs) in accordance with the recommendation of SWRCB General Order. A Site Management Plan (SMP) will be submitted to SWRCB within 90 days of enrollment in the SWRCB General Order.

The discharger will utilize the following BPTCs to manage stormwater runoff:

1. Maintenance of roads, including rocking and armoring as needed.
2. Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian areas.
3. Regulated products will be safely stored with secondary containments.
4. Proper management of solid, liquid and cultivation waste.
5. Irrigation and fertilizer application will be carefully monitored and applied at agronomic rates.

2.3. WATERSHED AND HABITAT PROTECTION

Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the SMP. Maintenance and repair strategies for site development and road improvements will utilize best practicable treatment and controls, such as outslowing of roads, installation of water bars or

other appropriate measures, to maintain slope integrity. Cultivation sites will be developed in accordance with SWRCB's BPTCs for site development to ensure erosion control measures are effective to not allow discharges to streams.

2.3.1 INVASIVE SPECIES CONTROL PLAN

The cannabis cultivator shall not plant or seed noxious weeds. Prohibited plant species include those identified in the California Invasive Pest Plant Council's database, available at: www.cal-ipc.org/paf/. Locally native, non-invasive, and nonpersistent grass species may be used for temporary erosion control benefits to stabilize disturbed land and prevent exposure of disturbed land to rainfall. Straw mulch used for erosion control must be weed-free and secured to the ground, if warranted by site conditions.

To prevent transfer of invasive species, all equipment used at the cannabis cultivation site, including excavators, graders, etc., shall be cleaned before arriving and before leaving the site.

2.4. ENERGY PLAN

Electricity for Mixed Light cultivation is supplied by PG&E. RIO DIAMOND FARM shall purchase at least 42% renewable energy through PG&E or the Redwood Coast Energy Authority (RCEA) RePower+ program. Generators shall only be used as an emergency back-up power source and shall not be audible from neighboring properties.

2.4.1 LIGHT POLLUTION CONTROL PLAN

RIO'S DIAMOND FARM shall shield greenhouses so that no light is visible from neighboring properties between sunset and sunrise. The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the City of Rio Dell receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

2.5. NOISE SOURCE ASSESSMENT AND MITIGATION PLAN

Generators shall only be used as an emergency back-up power source and shall not be audible from neighboring parcels. Other noise sources on the property include greenhouse fans.

Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.

2.6. USE AND STORAGE OF REGULATED PRODUCTS

RIO's DIAMOND FARM shall employ BPTCs when storing, handling, mixing, applying, and disposing of all fertilizers. RIO'S DIAMOND FARM practices organic farming methods for all cultivation. The applicant proposes to use chicken manure, bat guano, and worm castings. All nutrients are stored in secondary containment within the designated Ag Chem storage area noted on the attached Site Plan.

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RIO'S DIAMOND FARM will follow required regulations in the storing, handling, mixing, application and disposal of any and all other regulated products. The Agent In Charge responsible for all proper applications of regulated products and will be trained in accordance with the Department of Agriculture. All nutrients are stored and handled as per manufacturer's recommendation.

A copy of the Operations Plan will be kept on site by the Agent in Charge and will contain all material safety data sheets (MSDS) for all regulated products used on site.

2.7. FUELS AND OILS

Propane for domestic uses is stored in a 400-gallon tank that is properly anchored and secured. No petroleum products are stored on the property at this time. Equipment maintenance and servicing takes place offsite.

2.8. WASTE MANAGEMENT PLAN

2.8.1 SOLID WASTE MANAGEMENT

Garbage and recycling shall be stored in secure containers within the designated cultivation waste storage shed identified on the attached Site Plan. The waste storage area shall comply with BPTCs to prevent wildlife tampering and transport of waste to waters of the State. Solid waste is transported to Eel River Disposal once a week. Recycling is transported to Eel River Disposal once a month.

2.8.2 CULTIVATION WASTE AND SOIL MANAGEMENT

Cultivation waste such as root balls, branches, and leaves are stored in the secure cultivation waste storage area as noted on the attached site plan, and transported to Eel River Disposal as needed. After the growing season ends, spent soil will remain in greenhouses and re-used the following season. The soil stockpile area will be covered and/or planted with cover crop during the winter season to prevent erosion.

The soils will be analyzed by a testing facility and after consultation will be amended and reused. New soil will be imported every other year or as necessary. Any used pots or bags will be collected and stored in a storage shed for the winter season. All packaging material will be collected and disposed at Eel River Disposal.

2.8.3 WASTEWATER MANAGEMENT

Onsite wastewater treatment is managed via a permitted septic system for the residence. The septic leachfield location is noted on the attached Site Plan.

Restroom access is available at the residence which is located within 100 yards of the existing cultivation areas.

2.9. EMPLOYEE PLAN

RIO'S DIAMOND FARM is an "agricultural employer" as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

2.9.1 JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

Agent in Charge: Oversight and management of the entire facility. Responsibilities will include but not be limited to: personnel, records keeping, budget, and liaison with State and County inspectors as needed.

Lead Cultivator: Oversight and management of the day to day cultivation of medical cannabis. This will include but not be limited to: irrigation, fertilization, pesticide management and harvest.

The applicant is *Agent in Charge* and *Lead Cultivator*. There are no seasonal laborers employed. Cannabis will be processed with a trim machine in the designated processing area as noted on the attached Site Plan.

2.9.2 EMPLOYEE TRAINING AND SAFETY PRACTICES

All cultivation and harvesting activities are performed by trained employees on procedures for cultivation, harvesting, use of pruning tools, proper application and storage of pesticides and fertilizers. All staff area provided with proper hand, eye, body Personal Protective Equipment (PPE). Access to onsite cultivation and the drying and processing facilities are limited to authorized staff of RIO'S DIAMOND FARMS. A copy of the Operations Plan will be kept on site by the Agent in Charge and will contain all material safety data sheets (MSDS), see Appendix F.

2.10. ON SITE HOUSING AND PARKING PLAN

The existing single-family residence is occupied by the property owners. No new residential structures are proposed as part of this project. There are parking spots for four vehicles in the gravel driveway located near the residence.

2.11. SECURITY PLAN

The entrance/exit to the property shall be secured with a locked gate at all times. Entrances to cannabis storage areas shall be locked at all times, and under the control of the *Agent in Charge* or *Lead Cultivator*. Cannabis will be stored in a building that is completely enclosed, and in a locked vault or safe or other secured storage structure that is bolted to the floor or structure of the premises.

No *Trespassing* sign is proposed near the gate. Motion sensor lighting outside of the cultivation facility will be installed to illuminate the cultivation and processing area as well as the entrance to the site. Additional measures being considered by RIO'S DIAMOND FARM are the installation of security cameras at the entrance to the site, residence, and processing facility with data storage for up to thirty (30) days with an alarm system for the cultivation facility and residence.

3. CULTIVATION PLAN

3.1. PROPAGATION

Clones are started in the onsite nursery and transplanted into the designated outdoor mixed-light cultivation areas. The juvenile plants are irrigated using hand watering methods.

3.1.1 CULTIVATION PLAN AND SCHEDULE

Mixed-light Cultivation

RIO'S DIAMOND FARM proposes 32,000 square feet of mixed-light cultivation and a 1,000 square foot nursery. The cultivation areas will be located in natural clearings previously used for cannabis cultivation. Cultivation will take place in greenhouses constructed of polyvinyl tarping and PVC tubing. Mixed-light cultivation will use light deprivation and supplemental artificial lighting within the existing greenhouse structure. All supplemental lighting shall be used in accordance with Rio Dell and International Dark Sky Standards (see section 2.4.1).

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All electricity is provided by PG&E. The monthly cultivation schedule in Appendix E details the proposed cultivation activities associated with the operation for two cycles per year.

3.1.2 IRRIGATION PLAN AND SCHEDULE

Irrigation will occur via hand watering methods. RIO'S DIAMOND FARM maintains that the amount of irrigation needed is better controlled via hand watering and allows for a more tailored irrigation plan and better plant inspection and nutrient application.

3.1.3 HARVESTING, DRYING AND TRIMMING

Once the *Lead Cultivator* has determined the plants are at their peak, harvest procedures will be initiated. This entails removing the flowering branches from the plant and suspending them in the drying shed with ventilation supplied by oscillating fans. The drying process takes approximately one week. Dried flowers are then 'bucked' off the stalks and into manageable sizes for onsite processing via trim machine.

The finished product is stored in the processing room before being transported to a licensed distribution facility. The waste product or 'trim', is collected and placed into bins to be weighed and labeled. The trim will also be transported offsite and to a licensed manufacturing facility.

3.1.4 PROCESSING

Trimming will be completed by a trim machine operated by RIO'S DIAMOND FARMS's *Lead Cultivator*. The trimmed material will be placed into sterilized locking lid bins. These bins will be weighed, labeled, logged and sealed. Great care will be taken to ensure that the original numbered corresponding plant tag remains affixed to each bin. The *Agent in Charge* will then deliver the sealed and logged bins to the designated secured area within the processing area.

The waste product from the machines or "trim" will be collected and placed into sterilized locking lid bins. These bins will then be weighed, labeled and sealed for transport and delivery to an offsite, contracted, licensed Facility. All weights will be recorded in the master log. Once securely in the Processed Material Holding Facility, the *Agent in Charge/Lead Cultivator* will begin to weigh, vacuum seal and label individual one-pound packages for distribution. After weighing, labeling and packaging each unit will be placed inside of a lock box or safe inside the designated secured area in the processing facility.

4. PRODUCT MANAGEMENT

4.1. PRODUCT TESTING

Samples will be selected from harvested cannabis strains to be tested by a licensed third-party lab and in accordance with state and local regulations. The finished product is labeled with the RIO'S DIAMOND FARM LLC logo and will include tracking Identification provided by CDFA's Track and Trace program.

4.2. PRODUCT INVENTORY AND TRACKING

Inventory of all plants shall be performed by the *Agent in Charge/Lead Cultivator*. All medical cannabis will be tracked from clone to packaged product and accounted for and inventoried. Records will be kept at each phase of the harvest

and processing operation for reporting and compliance with State and Local regulations. The information recorded for each harvest includes

- Weight of flowers, by product, and trim waste
- Weight of trimmed buds
- Staff identification
- Product ID numbers and product weight
- Physical location of plant material at all times

4.2.1 REPORTING

The Master Log will contain reports on the harvest process, providing total weight harvested and trimmed at each weigh point, and compares that to final weight post-trim, including waste. Discrepancies are traced to the source, documented, and reported to the Agent in Charge. After investigation, any appropriate corrective measures are taken. All cultivation and harvest records are retained for a minimum of five (5) years.

4.3. TRANSPORTATION AND DISTRIBUTION PLAN

Transportation will be handled via a third party, contracted, licensed transporter/distributor in accordance with MMRSA. All merchantable product will only be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter. This distribution document is required for each movement of packages and will be recorded in the Master Log.

The *Agent in Charge* is responsible for performing a physical inventory of all package being transported, ensuring that the physical inventory reconciles with the transport manifest, as well as the packaging material is intact and the labeling is secure. The distribution document records the current location and status of the packages, such as "in-transit" or "received." The licensed distributor must also create detailed transport manifests for the package distribution. The manifest contains details such as:

- Time of departure
- Time of arrival
- Product Identification and product weight
- Route to be travelled
- Origin and destination addresses

5. RESOURCES

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**Appendix A: Personnel
Acknowledgement Form**

Personnel Acknowledgement Form

It is the intention of RIO'S DIAMOND FARM, LLC to create an enjoyable, safe and sane workplace. We feel that understanding and compliance with our Operations Manual will create just that. It is the responsibility of each employee to read and understand the procedures outlined herein. If after reading and reviewing this entire document, you have any questions please see the Agent in Charge immediately for clarification. By signing this document below, it confirms your reading, understanding and adherence to the entire **RIO'S DIAMOND FARM, LLC, OPERATIONS MANUAL FOR MEDICAL CANNABIS CULTIVATION.**

Employee sign and date

Agent in Charge sign and date

Appendix B: Site Plan



**Appendix C: Pesticide
Storage, Handling and
Application Plan**

RIO'S DIAMOND FARM LLC
Pesticide Storage, Handling and Application Plan

All pesticides, disinfectants, fungicides and agricultural chemical products used by the RIO'S DIAMOND FARM will maintain strict compliance with standards imposed by the Humboldt County Agricultural department and State of California Department of Agriculture Department and US Environmental Protection Agency. The Agent will maintain a current Private Applicators License with the Humboldt County Agricultural Department. This license will be posted and a copy will be entered into the Manager's Handbook and available for view by any regulatory agency deemed appropriate by Humboldt County or State of California.

Storage

All pesticides, disinfectants, fungicides and agricultural chemicals will be secured in an appropriate locked and labeled housing and accessed only by those employees that have been trained under the guidelines of *State of California Agricultural Department Personal Pesticide Application License* guidelines in handling, application and disposal of each product. Entry into the locked facility will be logged by the Lead Cultivator. This log will include: The name of employee removing the material, the date and time of day and the amount and type of pesticide removed.

Any over-the-counter pesticide products may be applied by either the Agent or trained personnel in accordance with State of California Agricultural Department's Private Applicators License criteria. Training of employees will be in accordance with *State of California Private Applicators License* criteria. These products will be limited to safe chemicals recognized by the Humboldt County Department of Agriculture, the California Department of Agriculture and the Federal EPA. Copies of all MSDSs and labels will be clearly identified and maintained onsite at all times in the Lead Cultivators Handbook. RIO'S DIAMOND FARM will make available to its employees saline eye wash stations where ever pesticides are stored.

Handling

The handling of pesticides/fungicide will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. Handling will include, transportation from retail outlet to cultivation site, logging and entering into secured, labeled storage, mixing, preparation, transport to application locations on site, application and disposal. These activities will be logged into the Master Log immediately by the *Lead Cultivator*. By having a strictly monitored Pesticide Management plan in place, RIO'S DIAMOND FARM will strive for a "ZERO SPILL POLICY". In the event of a spill, RIO'S DIAMOND FARM will maintain on site an

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Emergency Containment and Clean Up policy in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines.

RIO'S DIAMOND FARM will also maintain on site in a clearly marked and accessible secure location any materials deemed necessary for clean up or spill containment and abatement. RIO'S DIAMOND FARM will maintain a well-marked and easily accessible plan for accidental personnel exposure as well as proper applicators training as set forth by *State of California Agricultural Department Personal Pesticide Application License* guidelines in the event of such accidental exposure. Any spills or accidental personnel exposure will be reported to the appropriate agencies as deemed necessary by *State of California Agricultural Department Personal Pesticide Application License* guidelines. These incidents will also be documented into the Master Log by the Lead Cultivator.

Application

All application will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. A copy of all applications will be manually entered into the Master Log. Proper eye, face and body protective wear as well as approved respirators shall be provided by RIO'S DIAMOND FARM and worn and available at all times during application of all pesticides/fungicides. A preventive application program per manufactures directions and label requirements will be established from the onset of the plants initial transplant. Application frequency will vary with each phase of growth or infestation pressure. This will help to ensure the least amount of pesticide/fungicide will be needed. Application will end no less than thirty days before harvest or by manufactures able requirements, whichever is longer.

During application factors such as wind, temperature and humidity will be taken into account. This will ensure that the pesticide/fungicide is used in the most efficient manner and will mitigate drift. Pesticides will be applied using a variety of methods including atomizer, back pack sprayer and air less sprayer. Nozzle types and pressure settings will be determined by manufacture directions. Anywhere pesticide is applied RIO'S DIAMOND FARMS will provide a saline eye wash station in case of accidental exposure.

Disposal

Any mixed solutions will be used to their entirety. In the event there is a surplus of used mixed solution, it will be disposed of according to guidelines set forth by *State of California Agricultural Department Personal Pesticide Application License* procedures. After the applicator has finished application, the protective wear shall be discarded and disposed according to *State of California Agricultural Department*

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Private Applicators License guidelines. All bottles, containers or receptacles that have come into contact with, or contained, any product that falls under the state's guidelines for pesticides, disinfectants, fungicides and agricultural chemicals shall be washed, rinsed and or disposed of according to strict EPA and *State of California Agricultural Department Private Applicators License* guidelines. Proper training of employees in rinsing, washing and disposal shall be overseen by the Licensed Lead Cultivator on premise. All washing, rinsing or disposal of any product packaging, applicator or protective clothing will be logged into the Master Log.

**Appendix D: Emergency
Procedures and Contact
Information**

Emergency Procedures Instructions RIO'S DIAMOND FARM, LLC

The first priority in the event of an emergency is for the safety of all people present. Move quickly out of area danger. Meet at assigned meeting place to get a headcount. Enact Emergency Procedures.

Emergency Phone Numbers

Dial 911 for Fire/Police/Ambulance:

- 1. Tell the operator which emergency service you want**
- 2. Wait until the service answers**
- 3. Give the following address:**

**1150 DINSMORE RANCH ROAD #130
RIO DELL, CA 95562**

- 4. Do not hang up until told to do so by the 911 Operator**

Other Emergency Contacts

Humboldt County Sheriff: 707-445-7251

Rio Dell Volunteer Fire Dept: (707) 764-3329

Humboldt County HazMat: 707-445-6215

Humboldt County Ag Dept.: 707-441-5260

Fire and Emergency Procedures Checklist

You must know and understand what to do if a fire occurs. Your first concern is the immediate safety of visitors and staff; secondly, the need to call emergency services and then to contain the fire but only if it is safe to do so. If help is available, allocate responsibilities to others to create a competent fire fighting team.

- Evacuate people from the area
- If it is safe to do so, switch off power to all equipment
- Call the fire department (dial 911)
- If a small fire, use your fire extinguisher if it is safe to do so – try to contain and extinguish the fire
- If the fire is near a fuel tank, do not attempt to extinguish the fire – retreat to a safe distance
- Be prepared to direct the fire service to the scene

Spill Procedures Checklist

You must know and understand what to do if a spill occurs. Your first consideration is the immediate safety of visitors and staff; secondly, the need to call emergency services and then contain the spill if it is safe to do so. If help is available allocate responsibilities to others to create a competent team to deal with the spill.

- If the spill is from the hose or tap, shut the isolation valve
- Warn people in area of the spill – evacuate if necessary
- Remove sources of ignition if flammable substance present
- Evaluate the spill – only respond if you believe it is safe to do so
- Refer to the safety data sheet or call on an approved handler or other specialists for advice
- If necessary, call emergency services and advise local authority
- Put on safety equipment (e.g. overalls, boots, gloves, eye protection, etc.)
- Contain the spill if it is safe to do so – utilize a drip tray or oversize container or spill kit to soak up the substance
- Dispose of waste safely as set out in the material safety data sheet

Incident Reporting

Every accident resulting in injury or damage to farm property must be reported to your manager immediately.

Respond to the accident promptly and positively

Collect relevant information about the accident

Develop and take remedial actions

Complete insurance claims and reports required

First Aid

- A first aid kit must be kept on the premises and maintained
- All staff must know basic first aid procedures

Minor Injury Accidents

- Minor cuts and abrasions must be attended to immediately
- If in doubt contact a physician or call 911

Serious Injury Accidents

- Call an ambulance immediately (dial 911)
- Seek the assistance of any first responder
- Stabilize Victim
- Advise your manager

Property Damage

- All damage to farm property must be reported to your manager

Emergency First Aid-Procedures

Control of Bleeding

1. Direct pressure – use your hand(s).
2. Elevate (raise) the limb
3. Apply a pad and firm bandage.
4. If necessary use clean rags or clothing.

Remember!!

- *Always check circulation below the bandage!*
- *If there is tingling, numbness or blueness loosen the bandage.*

Management of Burns

1. Cool the burnt area with cool water for 10-15 minutes
2. If necessary, cover the burn with a clean dressing or plastic wrap before removing person to medical aid.

Remember!!

- *Do not burst blisters.*
- *Do not remove clothing that is stuck.*
- *Do not apply creams*

Management of Eye Injuries

Foreign bodies in the eye(s)

1. Wash the eye(s) with eyewash or clean water.
2. If the foreign body is stuck to the eye DO NOT attempt remove.
3. Place covering over the eye and obtain medical attention.

Management of Chemicals in Eye(s)

1. Wash the eye(s) with clean cool water for at least 15 minutes.
2. Wash from near the nose outward.
3. Always wash under the upper eyelid.
4. Obtain medical attention

Breathing

If a person is breathing but unconscious turn them on their side to prevent tongue swelling or vomit from obstructing airway.

If person is not breathing

- *Check airway for blockage and clear*
- *Call 911*
- *Administer CPR*

Location of Firefighting Equipment, Spill and First Aid Kits

A **fire extinguisher** is located in the following places:

- *All Cold Frames*
- *Nutrient and Fertilizer Storage*
- *Drying and Processing Facility*

A **first aid kit** is located in the following places:

- *Cultivation Site*
- *Drying and Processing Facility*

A **spill kit** is located in the following places:

- *Cultivation Site*
- *Processing Facility*

Appendix E: Cultivation Activities Schedule

CULTIVATION ACTIVITIES SCHEDULE
Rio's Diamond Farm LLC
Mixed Light

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)										X X	X X	
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc)								X X		X X X		
	Road maintenance				X				X				
	Culvert and inboard ditch maintenance/inspection		X								X		X
	Cultivation waste hauled off site (Composted)												
	Cover soil pots with seed/straw with cover crop										X X X		
Irrigation Activities	Irrigation of juvenile plants /Seeds				X X X X X	X X X X X							
	Irrigation of flowering plants						X X X X X X X X	X X X X X X X X					
Pre-cultivation Activities	Propagate seeds/clones												
	Transplant cuttings into pots												
	Transplant juvenile plants into beds/pots					X X	X X X X X	X X X X X X X					
	Amend soil in greenhouses /Pots		X X X X				X		X				
	Import new cultivation soil (N/A)												
Mixed Light and Harvest Schedule	Light Dep Cycle 1				X X X X X X X X								
	Light Dep Cycle2							X X X X X X X X X					
	Harvest activities							X X		X X			
Outdoor Cultivation and Harvest Schedule													
Drying and Processing	Drying activities							X X			X X		
	Trimming activities (Will take place offsite)								X X X X		X X X		
Staffing Presence	Agent in Charge		X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	
	Lead Cultivator					X X X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X	
	Assistant Cultivator												
	Seasonal Laborors												

**Appendix F: Material Data
Safety Sheets**

MATERIAL SAFETY DATA SHEET

SECTION 1 – IDENTIFICATION OF PRODUCT

Manufacturers Name Dr. Earth Company P.O. Box 460 Winters, CA 95694	Emergency Phone Number (707) 448-4676 Fax: (707) 448-4760
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Trade Name & Synonyms
 Dr. Earth® Bat Guano 10-3-1

Chemical Name & Synonyms Fertilizing Compounds	Chemical Family Organic Solid
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SECTION II – HAZARDOUS INGREDIENTS OF MIXTURES

Component	%
Total Nitrogen (N)	10.0
10.0 % Water insoluble organic nitrogen	
Available Phosphoric acid (P205)	3.0
Soluble Potash (K20)	1.0
Calcium (Ca)	—
Magnesium (Mg)	—
Sulfur (S)	—
Inert Ingredients	86.0

SECTION III – PHYSICAL DATA

SECTION III - PHYSICAL DATA		
Appearance & Odor: Dry granular, powdery, dark brown to light brown in color.		
Boiling Point (Degrees Fahrenheit)	Specific (Water = 1)	Bulk Density
N/A	N/A	N/A
Vapor Pressure (MM of Mercury)	Percent Volatile (By Volume)	
N/A	N/A	
Vapor Density (Air = 1)	Evaporation Rate (Butyl acetate = 1)	
N/A	N/A	
Solubility in Water		
Approx. 50% by Weight		

SECTION IV – FIRE AND EXPLOSION HAZARD DATA

Flash Point (Specify Method/Degrees F) N/A	Flammable Limits % by Volume	Lower N/A	Upper N/A
Fire Extinguishing Media: Use that which is appropriate for the surrounding fire.			
Special Fire Fighting Procedures: Wear bunker gear & a self-contained breathing apparatus.			

SECTION V – HEALTH HAZARD DATA

Effects of Overexposure: May irritate sensitive individuals if on skin for prolonged period of time.
Emergency and First Aid Procedures: <i>If Swallowed:</i> Induce vomiting, get medical attention. <i>If on Skin:</i> Flush with soap and water, remove and launder contaminated clothing. <i>If in Eyes:</i> Flush with plenty of water for at least 15 minutes. <i>If Inhaled:</i> Remove to fresh air.

SECTION VI – REACTIVITY DATA

Stability	Unstable	Conditions to Avoid N/A
	Stable X	
Incompatibility (Materials to Avoid): None Known		
Hazardous Decomposition Products: None Known		
Hazardous Polymerization	May Occur	Conditions to Avoid N/A
	Will not Occur X	

SECTION VII – SPILL OR LEAK PROCEDURES

Steps to be taken in case material is released or spilled: Sweep or scoop residue and remove. Mix with surrounding soil if possible; Recycle if possible.
Waste Disposal Method: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

SECTION VIII – SPECIAL PROTECTION INFORMATION

Respiratory Protection (Specify type): N/A	Mechanical (General): N/A
Ventilation: Use with adequate ventilation.	Local Exhaust: N/A
Protection Gloves: N/A	Eye Protection: N/A
Other Protective Equipment: Change cloths daily; bathe daily, wash cloths separately before reuse.	

SECTION IX – SPECIAL PRECAUTIONS

Precautions to be taken in handling and storing: Store in the original container, preferably in a locked storage area. KEEP OUT OF REACH OF CHILDREN!
Other precautions: Wash thoroughly after handling. Do not get in eyes; on skin or clothing do not breathe dust. Cover up open wounds contain live bacteria.

SECTION X – DOT INFORMATION AND DATE

DOT Classification and Label: Not required by DOT

MATERIAL SAFETY DATA SHEET

Sup'R Green Chicken Manure

1 - Product Identification

Manufacturer Name and Address: J & D Fertilizer, dba D. Stutzman Farms
P.O. Box 307
Canby, OR 97013

Emergency Phone: (503) 266-4610

Product Name: Sup'R Green Chicken Manure
Synonyms: Chicken Manure, DPW - Dry Poultry Waste

Date Prepared: February 8, 2002
Prepared By: Corporate Safety and Health

2 - Hazardous Ingredients/Identity Information

COMPONENTS	PERCENT	OSHA PEL	ACGIH TLV
Chicken Manure	~ 75	15 mg/M3	10 mg/M3
Water	~ 25		

APPEARANCE AND ODOR: Solid Brown, Slightly Putrid

3 - Physical / Chemical Characteristics

BOILING POINT (F OR C): NAP

VAPOR PRESSURE (MM HG): NAP

SPECIFIC GRAVITY (H2O = 1): <1

MELTING POINT (F OR C): NAP

EVAPORATION RATE (BUTYL ACETATE =1): NAP

SOLUBILITY IN WATER: NAP

% VOLATILE BY VOLUME @ 70 F: NAP

PH: 6.5 - 7.5, USUALLY - 7

4 - Fire and Explosion Hazard Data

FLASH POINT (METHOD USED): NAP

FLAMMABLE LIMITS:

LEL: See below under "Unusual Fire and Explosion Hazards"

UEL: NAP

EXTINGUISHING MEDIA: Water

AUTOIGNITION TEMPERATURE (F OR C): 400 - 500 F

SPECIAL FIRE FIGHTING PROCEDURES: None

UNUSUAL FIRE AND EXPLOSION HAZARDS: If deeply stacked in a compost pile under dry conditions, chicken manure may self ignite and smolder.

5 - Reactivity Data

STABILITY:

() Unstable (X) Stable

Conditions to Avoid: NAP

INCOMPATIBILITY (MATERIALS TO AVOID): None Listed

HAZARDOUS POLYMERIZATION:

() May Occur (X) Will not occur

Conditions to Avoid: NAP

6 - Precautions for Safe Handling and Use

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED:

Sweep up and place in suitable container for use, recycle, or disposal.

WASTE DISPOSAL METHOD:

If disposed or discarded in purchased form, incineration and/or dry land disposal is acceptable. It is, however, the user's responsibility to determine at the time of disposal whether your product meets RCRA criteria for hazardous waste. Follow applicable federal, state or local regulations.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE:

No special handling requirements. Store away from open flame.

OTHER PRECAUTIONS:

If this product is used in a process which generates dust levels in excess of the OSHA or state standard for dust, a mask (NIOSH/MSHA approved) and goggles should be worn.

7 - Health Hazard Data

PRIMARY ROUTE(S) OF EXPOSURE:

- (x) Ingestion
- (x) Skin - Fiber, water, organics
- (x) Inhalation - Dust

8 - Control Measures

PERSONAL PROTECTIVE EQUIPMENT:

Respiratory Protection:

Not applicable for product in purchased form. A NIOSH/MSHA - approved respirator is recommended when the allowable exposure limits may be exceeded.

Protective Gloves:

Not required. However, cloth, canvas, or leather gloves are recommended to minimize potential mechanical irritation from handling product.

Eye Protection:

Not applicable for product in purchased form. However, safety glasses/goggles are recommended if the product is used in such a way as to generate high dust levels.

Other Protective Clothing or Equipment:

Not applicable for product in purchased form.

Work/Hygienic Practices:

Follow good hygienic and housekeeping practices. Clean up areas where product settles to avoid excessive accumulation; when dry, material is combustible. Minimize blowdown or other practices which generate high airborne-dust concentrations.

VENTILATION:

Local Exhaust:

Provide local exhaust as needed so that exposure limits are met.

Mechanical (general):

Provide general ventilation in processing and storage areas as needed so that exposure limits are met.

Special:

Self-contained breathing apparatus (SCBA) recommended when fighting fire.

Other: NAP

ACUTE HEALTH HAZARDS: Signs and symptoms of exposure/emergency first aid procedures:

Ingestions:

Not applicable under normal use. If ingested give 2-3 glasses of water and induce vomiting. Call a doctor.

Eye Contact:

Dust may mechanically irritate the eyes resulting in redness and watering
Treat dust in eye as foreign object. Flush with water to remove dust particle.
Get medical help if irritation persists.

Skin Contact:

For skin exposure, wash with soap and water. Get medical help if rash, irritation, or dermatitis persists.

Skin Absorption:

Not known to occur under normal use.

Inhalation:

Excessive dust concentrations may cause unpleasant deposit/obstruction in the nasal passages, resulting in dryness of nose, dry cough, and headaches.

Remove to fresh air. Get medical help if persistent irritation, severe coughing, or breathing difficulty occur.

Carcinogenicity Listing:

- () NTP: Not listed
- () IARC Monographs: Not listed
- () OSHA Regulated: Not listed

9 - User's Responsibility

The information contained in this Material Safety Data Sheet is based on the experience of occupational health and safety professionals and comes from sources believed to be accurate or otherwise technically correct. It is the user's responsibility to determine if this information is suitable for his/her applications and to follow safety precautions as may be necessary. The user has the responsibility to make sure this sheet is the most up-to-date issue.

10 - Additional Information

Definition of Common Terms:

ACGIH = American Conference of Governmental Industrial Hygienists

C = Ceiling Limit

CAS# = Chemical Abstracts System Number

IARC = International Agency for Research on Cancer

MSHA = Mining Safety and Health Administration

NAP = Not Applicable

NAV = Not Available

NIOSH = National Institute for Occupational Safety and Health

NTP = National Toxicology Program

OSHA = Occupational Safety and Healthy Administration

PEL = Permissible Exposure Limit

STEL = Short term Exposure Limit (15 minutes)

TLV = Threshold Limit Value

TWA = Time-Weighted Average (8 hours)

Vital Earth's®

Mega Worm®

Earthworm Castings

Material Safety Data Sheet

I. PRODUCT NAME/TRADE NAME:	Emergency Telephone Number:
Vital Earth's® Mega Worm® Earthworm	503-493-2784
Castings	Information Telephone Number:
Sizes: Sample, 1 lb/0.4536 kg, 2.25 lb/1.0206	503-493-2784
kg,	Date Prepared:
10 lb/4.5359 kg, 0.75 cu. ft./18 L, 1.1 cu. ft./30	02/15/07
L,	
2 yd. tote/1528.2 L	
EPA REGISTRATION #: none	
CHEMICAL NAME/COMMON NAME:	Is not a controlled product and is not covered
Earthworm Castings/Worm Manure	under Hazardous Product Act and WHIMIS.
	Soil Treatment, Soil Builder, Soil Media
WHIMIS Classification of Product:	
Product use:	

II. HAZARDOUS INGREDIENTS

Ingredient	%	CAS #	LD50	LC50	OSHA PEL	ACGIH TLV
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NA	NA	NA	NA	NA	NE	NE
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III. PHYSICAL/CHEMICAL CHARACTERISTICS

Boiling Point:	NE	Specific Gravity (H2O=1):	NA
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Vapor Pressure (mmHg):	NA	Melting Point:	NA
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Freezing Point:	NA
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Vapor Density

(Air = 1):	NE
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Evaporation Rate

(Butyl Acetate + 1):	NA
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% Volatiles by vol.:	NE
----------------------	----

Density:	Variable
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Solubility in Water: Soluble

Appearance and

Odor:	Black granular, odorless
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Flash Point/Method:	NA
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pH:	5.5-7.0
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IV. FIRE AND EXPLOSION HAZARD DATA

Flash point	Flammable Limits:	NA
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(Method Used):	NA
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Extinguishing Media:	NA	LEL:	NA
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		UEL:	NA
--	--	------	----

Hazardous Combustion

Products:	NA
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Conditions of

Flammability:	NA
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Sensitivity to

Mechanical Impact:	NA
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Sensitivity to Static

Discharge:	NA
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Auto Ignition (°C):	NA
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Special Fire Fighting

Procedures:	NA
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Unusual Fire and

Explosion Hazards:	NA
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V. REACTIVITY DATA

Chemical Stability:	Stable
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Incompatibility (Products to Avoid):	NA
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Hazardous Decomposition or Byproducts: NA

Hazardous Polymerization: NA

Condition to Avoid: NA

Reactivity, and under what conditions: NA

VI. TOXICOLOGICAL PROPERTIES/HEALTH HAZARD DATA

Route(s) of Entry

Skin: Wear proper personal protective equipment to reduce skin exposure.

Ingestion: Do not ingest. Wash hands and face thoroughly before eating, drinking or smoking.

Inhalation: Wear proper respiratory protection for the exposures encountered.

Eye Contact: Can cause eye irritation. Wear proper eye protection to reduce exposure. If contact occurs, flush eyes with water for a minimum of 15 minutes.

Health Hazard (Acute or Chronic): NA

Carcinogenicity:	IARC monographs	NTP	OSHA
	None Known	None Known	None Known
Signs and Symptoms of Exposure:	NA		
Irritancy of product:	NA		
Sensitization to Product:	NA		
Teratogenicity:	None		
Reproductive Toxicity:	None		
Mutagenecity:	None		
Synergistic Products:	None		

VII. PRECAUTION FOR SAFE HANDLING AND USE

Personal Protective Equipment

Respiratory:	When dust is present, use a NIOSH/MSHA approved half- or a full-face respirator with a High Efficiency Particle Aerosol (HEPA) cartridge
Skin:	Wear proper personal protective equipment to reduce skin exposure.

Eyes:	Use appropriate eye protection e.g.: goggles, to minimize contact with dust.
Other:	Wear sturdy work clothing and footwear for the specific application.
Environmental Hazards:	Dike area to prevent entering drains, sewers or water courses.
Engineering controls:	In restricted spaces, use effective ventilation, e.g. Local Air Ventilation. Do not permit excessive accumulation of dust in work areas. Best practice is to clean up with a vacuum equipped with a HEPA filter.
Steps to be taken in case material is released or spilled:	If uncontaminated, collect for reuse or disposal. Use a clean up system which does not create dust, e.g. a vacuum equipped with a HEPA filter. If contaminated or not required for reuse, dispose in approved landfill in accordance with local regulations.
Waste Disposal Method:	If uncontaminated, dispose as a non-metallic mineral. If contaminated, use appropriate

method for containment with applicable local regulation(s).

Precaution to be taken in handling and storing:

Product should be kept in a dry place. Avoid creation of respirable dust if possible. Protect workers as above. Use effective ventilation and dust collection. Avoid eye and skin contact with wet product during use.

Special shipping information:

NA

VIII. CONTROL/FIRST AID MEASURES/HEALTH PRECAUTION DATA

Respirator Protections:

Use only NIOSH/MSHA - approved respiratory protection for nuisance particles up to 10 times the PEL/TLV. Positive pressure self-contained breathing apparatus should be used for confined space entry and high exposures above the nuisance particulate PEL/TLV.

Ventilation:

Local exhaust/general ventilation to control nuisance dust.

Protective/Work Gloves:

Rubber, latex, vinyl, or other impervious gloves recommended

Eye Protection:

Safety Goggles or glasses with side shields and brow protection Recommended.

Other Protective Clothing or Equipment:	Not required
Work / Hygienic Practices:	Wash to remove dust after use
Eyes:	Flush with tempered water for at least 20 minutes. Obtain medical attention
Skin:	Wash with soap and water. For caustic burns to skin consult a doctor.
Ingestion:	Drink large amounts of water. Do not induce vomiting. Seek immediate medical attention.
Gross inhalation of dust:	Remove victim to fresh air and administer CPR if necessary.

SUPPLEMENT INFORMATION:

THE BACTERIA AND MYCORRHIZAE CONTAINED IN THIS PRODUCT ARE STRAINS OF TYPICALLY HARMLESS SOIL AND WATER-SOLUBLE BACTERIA AND MYCORRHIZAE, AND DO NOT CAUSE INFECTIONS UNDER NORMAL CIRCUMSTANCES. PROPER PRECAUTIONS ARE ADVISED TO PREVENT INFECTION OF OPEN WOUNDS, INHALATION OF EXCESSIVE AMOUNTS

OF DUST AND EYE IRRITATION. THE
PROPER HYGIENE PRACTICES
NECESSARY TO PREVENT HEALTH
HAZARDS FROM ANY NATURALLY
OCCURRING SUBSTANCE SUCH AS SOIL
ETC. SHOULD BE OBSERVED.

IX. SPECIAL PRECAUTIONS

Keep out of reach of children. Do not wash down storm or sanitary sewer system. Read and follow all label instructions.

X. REGULATORY DATA

SARA HAZARD CLASS: Acute

SARA 313: NO

SARA 302: NO

TPQ:
CERCLA: NO

RQ:
RCRA: NO

NFPA HAZARD RATING:

Health: [1]

Fire: [0]

Reactivity: [0]

NFPA HAZARD RATING SCALE:

0 = Minimal 3 = Serious

1 = Slight 4 = Severe

2 = Moderate

Special: []

HMIS CODES:

Health: [1]

Fire: [0]

Reactivity: [0]

HMIS HAZARD RATING SCALE:

0 = Minimal

3 = Serious

1 = Slight

4 = Severe

2 = Moderate

XI. PREPARATION DATE OF MSDS

Prepared by:

Conscious Earthworks, LLC

Phone:

503-493-2784

Date:

02/15/07

All information appearing herein is based upon data obtained from the manufacturer and/or recognized technical sources. While the information is believed to be accurate as of the effective date given above, CONSCIOUS EARTHWORKS, LLC makes no representations as to its accuracy or sufficiency. Conditions of use are beyond CONSCIOUS EARTHWORKS' LLC control. Therefore, users are responsible for determining whether under their own operating conditions the product is suitable for their particular use. Users assume all risks of use, handling, and disposal of the product. The publication, use of, or reliance upon information contained herein does not relate to the use of this product in combination with any other material or in any other process.

Furthermore, CONSCIOUS EARTHWORKS' LLC products are sold subject to the following LIMITATION OF LIABILITY AND DISCLAIMER

LIMITATION OF LIABILITY AND DISCLAIMER:

NO WARRANTY OR REPRESENTATION IS MADE, EXPRESS OR IMPLIED, CONCERNING THE RESULTS TO BE OBTAINED FROM THE USE OF THIS PRODUCT IF NOT USED IN ACCORDANCE WITH DIRECTIONS AND/OR GENERALLY ACCEPTED APPLICATION PROCEDURES AND PRECAUTIONS. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE LIMIT OF LIABILITY OF

CONSCIOUS EARTHWORKS, LLC FOR ANY LOSSES, DAMAGES OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE REFUND OF THE PURCHASE PRICE. CONSCIOUS EARTHWORKS, LLC, EXPRESSLY EXCLUDES AND DISCLAIMS ANY WARRANTIES OF FITNESS FOR ANY PARTICULAR PURPOSE OR USE.

PR Professional Services

Project Management Consulting

**CONSENT FOR CANNABIS CULTIVATION ACTIVITIES PROPOSED
RIO'S DIAMOND FARM, LLC
APN: 205-031-059**

I, the undersigned, acknowledge that I am the owner of record of Assessor Parcel Number 205-031-061 located at 955 Dinsmore Ranch Road, Rio Dell, California, 95562. I have been informed of the proposed project for cannabis cultivation and appurtenant facilities located at 1150 Dinsmore Ranch Road, Rio Dell, California, 95562 and hereby provide consent for the land uses as described, including potential odors related to cannabis cultivation.

Printed Name(s): James Cortazar

Phone Number: (707) 296-5077

Signature(s): J. Cortazar

Date: 6/4/20

PR Professional Services

Project Management Consulting

**CONSENT FOR CANNABIS CULTIVATION ACTIVITIES PROPOSED
RIO'S DIAMOND FARM, LLC
APN: 205-031-059**

I, the undersigned, acknowledge that I am the owner of record of Assessor Parcel Number 205-031-058 located at 950 Dinsmore Ranch Road, Rio Dell, California, 95562. I have been informed of the proposed project for cannabis cultivation and appurtenant facilities located at 1150 Dinsmore Ranch Road, Rio Dell, California, 95562 and hereby provide consent for the land uses as described, including potential odors related to cannabis cultivation.

Printed Name(s): Thomas Norton

Phone Number: (707) 367-1618

Signature(s): [Signature]

Date: 6-9-2020

PR Professional Services

Project Management Consulting

**CONSENT FOR CANNABIS CULTIVATION ACTIVITIES PROPOSED
RIO'S DIAMOND FARM, LLC
APN: 205-031-059**

I, the undersigned, acknowledge that I am the owner of record of Assessor Parcel Number 205-031-060 located at 1200 Dinsmore Ranch Road, Rio Dell, California, 95562. I have been informed of the proposed project for cannabis cultivation and appurtenant facilities located at 1150 Dinsmore Ranch Road, Rio Dell, California, 95562 and hereby provide consent for the land uses as described, including potential odors related to cannabis cultivation.

Printed Name(s): Brian Hall

Phone Number: (707) 496-3242

Signature(s): Brian Hall

Date: 6-10-2020

EXHIBIT A

Conditions of Approval Rio's Diamond Farms Conditional Use Permit File No. 205-031-059 Case No's. CUP-CCLUO-20-03

Conditions of Approval

1. Greenhouses shall be fenced with six (6) cyclone security fencing.
2. All disposal of cannabis waste is subject to Section 40290 of the California Code of Regulations (CCR). Section 40290(e) of the CR's requires that the cannabis waste be rendered to make it unusable and unrecognizable before removing the waste from the premises. This requires that the cannabis waste be grinded and incorporated with other ground material so that the resulting mixture is at least 50% non-cannabis material by volume. All hazardous waste as defined in Section 40141 of the Public Resources Code (PRC) must be managed with all applicable hazardous waste statutes and regulations.
3. In addition to any and all State regulations to cannabis cultivation, all cultivation activities are subject to the Performance Standards in Section 17.30.195(10) of the Rio Dell Municipal Code with the exception of the greenhouses (hoophouses) be fully enclosed, secure and lockable and the use of carbon filter fans or equivalent superior filters/scrubbers to eliminate odor discharges to neighboring properties from cultivation and processing facilities.
4. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.
5. Community Relations: The applicant shall provide the City Manager or designee with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom the City can provide notice if there are operating problems associated with the medical cannabis facility or refer members of the public who may have any concerns or complaints regarding the operation of the medical cannabis facility. Each medical cannabis facility shall also provide the above information to its business neighbors located within 300 feet of the medical cannabis facility.
6. Inspections: Consent to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday,

9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

7. The applicant shall execute the Release of Liability and Hold Harmless Agreement required by Section 17.30.195(4) of the Rio Dell Municipal Code (RDMC).

8. The applicant shall provide written verification from the Rio Dell Fire Protection District (RDFPD) that their requirements have been satisfied prior to the commencement of any cannabis activities.

9. The owner or operator shall provide adequate off-street parking even though such parking is in excess of the minimum requirements set forth in these requirements. The parking and turn-around areas shall be improved with all weather surfaces including asphalt, concrete or a gravel base.

Operational Conditions

1. Electricity for the Mixed Light cultivation activities shall be provided by any combination of the following:

- ♦ On-grid power with 42 percent renewable source.
- ♦ Onsite zero net energy renewable source providing 42 percent of power.
- ♦ Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.
- ♦ Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.

All outdoor storage materials and equipment shall be screened from public view.

2. The operations shall comply with all local and State regulations at all times.

3. The parking and turn-around areas shall be maintained with all-weather surfaces including asphalt, concrete or a gravel base.

4. Record Retention. The term record includes: all records, applications, reports or other supporting documents required by the City and the State.

- ◆ Each permittee shall keep and maintain the records listed in subsection (e) for at least 7 years from the date the document was created.
- ◆ Records shall be kept in a manner that allows the records to be immediately produced for the City at the permitted premises.
- ◆ All records related to commercial cannabis activity are subject to inspection by the City.
- ◆ A permittee may contract with a third party to provide custodial or management services of the records. Such a contract shall not relieve the licensee of its responsibilities under this condition.
- ◆ Each permittee shall maintain all of the following records on the licensed premises or at a different location identified by the licensee and approved by the City, including but not limited to:
 - City and State issued permits and license(s);
 - Plan of Operations;
 - All records evidencing compliance with the environmental protection measures required in Sections 8313, 8314, and 8315 of the California Code of Regulations;
 - Any supporting documentation for data or information input into the track-and-trace system;
 - Financial records, including but not limited to, bank statements, tax records, invoices, and sales receipts;
 - Personnel records, including each employee's full name, social security, or individual tax payer identification number, date of beginning employment, and date of termination of employment if applicable;

- Training records, including but not limited to the content of the training provided and the names of the employees that received the training;
 - Contracts with other state licensed medical cannabis businesses;
 - Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity;
 - Security records; and
 - Records associated with the composting or disposal of waste.
- ◆ All required records shall be prepared and retained in accordance with the following conditions:
 - ◆ Records shall be legible; and
 - ◆ Records shall be stored in a secured area where the records are protected from debris, moisture, contamination, hazardous waste, fire and theft.

5. The applicant shall pay all fees and taxes as required by the City of Rio Dell.

Informational Notes

1. If potential archaeological resources, paleontological resources or human remains are unearthed during grading activities, all work ground disturbing activities shall be stopped and a qualified archaeologist funded by the applicant and approved by the City of Rio Dell and the Bear River Band of the Wiyot Nation, shall be contracted to evaluate the find, determine its significance, and identify any required mitigation (e.g., data recovery, resource recovery, in-situ preservation/capping, etc.). Any such mitigation shall be implemented by the developer prior to resumption of any ground disturbing activities.

2. In accordance with California Health and Safety Code §7050.5 and California Public Resources Code §5097.94 and 5097.98, if human remains are uncovered during project subsurface construction activities, all work shall be suspended immediately and the City of Rio Dell, Humboldt County Coroner and the Bear River Band of the Wiyot Nation shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours of the determination, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

RESOLUTION NO. PC 147-2020



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING RIO'S DIAMOND FARMS CANNABIS ACTIVITIES CONDITIONAL USE
PERMIT**

WHEREAS Rio's Diamond Farms has made application for a Conditional Use Permit for 32,000 square feet of mixed-light cannabis cultivation and a 1,000 square foot nursery; and

WHEREAS the project also includes the permitting of a facility for drying, curing, harvest, storage, processing, and packaging; and

WHEREAS Section 17.30.195 the City's Commercial Cannabis Land Use Ordinance (CCLUO), allows commercial cannabis activities on the Dinsmore Plateau on lands designated Rural with a Conditional Use Permit (CUP); and

WHEREAS the was evaluated for compliance with the City's commercial cannabis regulations; and

WHEREAS the applicants have requested an exception to the cannabis regulations to allow hoopouses as opposed to commercial, "...securable and lockable..." greenhouses; and

WHEREAS the applicants are proposing to install six (6) cyclone security fencing around the greenhouse areas to secure the greenhouses; and

WHEREAS the applicants are also requesting an exception to the carbon filter odor control requirement; and

WHEREAS the applicants have secured letters from the neighbors that they have no objection to the request; and

WHEREAS the Rural designation allows general agriculture, including crop production as a principally permitted use; and

WHEREAS based on the information submitted, letters of support from the neighbors and referral agency comments or lack of comments, staff recommends that the proposed uses be found to be consistent with the development standards of the Rural zone and the Commercial

Medical Cannabis Land Use Ordinance, Section 17.30.195 and the Use Permit requirements of Section 17.35.030 of the Rio Dell Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell finds that *as conditioned*:

- (a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;
- (b) The proposed use is consistent with the general plan and any applicable specific plan; and
- (c) The design, location and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and
- (d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- (e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- (f) The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on June 23, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nick Angeloff, Chairperson

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 147-2020 adopted by the Planning Commission of the City of Rio Dell on June 23, 2020.

Karen Dunham, City Clerk, City of Rio Dell